

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, JULY 13, 2000
8:15 A.M.**

Commissioners Present: Kathy Campbell, Chair
Larry Hudkins
Linda Steinman
Bernie Heier
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk
Ann Taylor, County Clerk's Office

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, JUNE 29, 2000

MOTION: Heier moved and Steinman seconded approval of the minutes dated June 29, 2000. Heier, Steinman, Workman and Campbell voted aye. Hudkins was absent from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Beltway Letter Response
- B. Rural Land Use Syllabus

MOTION: Steinman moved and Heier seconded approval of the additions to the agenda. Steinman, Heier, Workman and Campbell voted aye. Hudkins was absent from voting. Motion carried.

- A. Beltway Letter Response

Workman requested Jim Linderholm, HWS Consulting Group, Inc., to respond to three letters received on the beltway issue.

Hudkins arrived at the meeting.

B. Rural Land Use Syllabus

Workman encouraged members of the Board to read *Urbanization of Rural Landscapes II, Second Syllabus and Teaching Materials from a University Course, Spring 2000, University of Nebraska - Lincoln, Center for Sustainable Agricultural Systems, Department of Agronomy*, noting he had audited one of the classes.

Campbell suggested that Professor Charles Francis and David Mortensen, editors of the material, be invited to speak at one of the meetings held as part of the County Board's continuing educational series on rural land use issues.

3 CITY JUNK CAR ORDINANCE - John Bradley, Assistant Planning Director; Rick Peo, Chief Assistant City Attorney; Mike DeKalb, Planning Department; Chuck Zimmerman, Dale Stertz and Mel Goddard, Building & Safety

Rick Peo, Chief Assistant City Attorney, said the City currently regulates the parking of unregistered, wrecked, non-operating, junked or partially dismantled vehicles within the city limits under Title X of the Lincoln Municipal Code. The County Board asked that this regulation be expanded to include the City's three mile zoning jurisdiction. He presented copies of an ordinance prepared in response to that request (Exhibit A). The ordinance, which requires action by the Planning Commission and City Council, follows the same standards used for the granting of a hobbyist permit under Title X provisions, but would require issuance of an administrative permit by the Director of Planning. He noted that the proposed regulations would not apply to the Agricultural (AG) District, at the request of the County Board.

John Bradley, Assistant Planning Director, offered the following definition of vehicles:

A conveyance that is designed primarily to carry a driver and/or passengers, not otherwise regulated so as not to require typical vehicle registration, for example: agricultural equipment and machinery, commercial and industrial equipment used primarily off public roadways.

Hudkins said unoccupied and rental mobile homes are also a problem and asked how these could be addressed.

Eagan said there is legislation in place that addresses the issue but the County has been unsuccessful in attempts at prosecution.

The Board asked Mike DeKalb, Planning Department, to review sections that address mobile homes in the County Zoning Regulations.

Brief discussion also took place on the issue of enforcement. Peo said enforcement within the City would be the responsibility of the Police Department and Building & Safety would be the enforcing agency for the three mile zoning jurisdiction. Steinman suggested that the Sheriff might be more effective in enforcing the ordinance within the three mile zoning jurisdiction. She added that Building & Safety could be responsible for identification of problem areas.

In response to a question from Campbell, Eagan said the County Attorney would need to be cross-deputized as a City Attorney in order to enforce the City ordinance within the three mile zoning jurisdiction. He suggested that the Law Clinic could handle prosecution.

Heier asked whether enforcement could be expanded to acreages under 20 acres in size that are outside the three mile zoning jurisdiction.

Campbell said legislative change would be necessary.

Chuck Zimmerman, Building & Safety, voiced concern that the junked car problem will move to the Agricultural (AG) District areas.

Campbell recommended that the County take this step and then seek legislative change to extend County enforcement powers to the three mile zoning jurisdiction.

Eagan said he believes the Sheriff has broad powers to enforce violations of any laws, including those that occur within the three mile zoning jurisdiction.

Mel Goddard, Building & Safety, asked whether existing situations would be "grandfathered".

Peo said the ordinance could be worded to require junked car removal in existing situations, with a period of compliance.

Workman suggested that the Agricultural (AG) District be included in the ordinance, as the proposed definition of vehicles exempts agricultural equipment and machinery.

The Board requested a County Attorney's opinion on the issues raised, including the Sheriff's power to enforce the ordinance within the three mile zoning jurisdiction.

4 FAMILIES FIRST & FOREMOST AND ASSESSMENT CENTER

UPDATE - Sheryl Schrepf, Families First & Foremost (F³) Grant Director; Gus Hitz, Assessment Center Director; Dennis Banks, Attention Center Director; Michelle Schindler, Attention Center Deputy Director; Renee' Dozier, Training and Technical Assistance Coordinator; Lori Griggs, Chief Probation Officer in the Juvenile Division

Gus Hitz, Assessment Center Director, presented a report on the history of juvenile assessment centers, common goals for juvenile assessment centers, the original vision for Lancaster County's Juvenile Assessment Center in relation to the Families First & Foremost (F³) Grant Project and progress to date (Exhibit B). He said provision of early intervention services for troubled youth at the elementary school level is key, noting discussions of the issue with Becky Wild, Director of Student Services for Lincoln Public Schools.

Sheryl Schrepf, Families First & Foremost (F³) Grant Director, said there is a need in the community to initiate Assessment Center services prior to opening of the facility in the new Lancaster County Juvenile Detention Center in 2002. She added that it is assumed that the County Board intends to sustain the Assessment Center when funding through the F³ Grant expires.

Heier asked whether an additional location is contemplated.

Schrepf said that is not being suggested at this point.

Steinman said she did not believe a final decision had been made, noting there has been discussion of a mobile unit and using the current facility as a community location.

Dennis Banks, Attention Center Director, expressed concern about how additional locations would be staffed.

Schrepf suggested that the focus of the discussion should be on desired services, rather than location.

Heier asked whether the management structure should be defined.

Schrepf said the F³ Grant is currently funding Assessment Center activities and it is an important piece of the collaborative effort. She said it would be difficult to set up a separate structure at this point.

Campbell said she believes the Assessment Center should remain under the F³ Grant at this time for accountability and evaluation. She added that Lancaster County is only one of four partners (Lancaster County, State of Nebraska, Region V and the parents), although it administers the grant.

In response to a question from Heier, Schrepf said a great deal of what has been accomplished involves process and development. A case manager has been placed in the Attention Center and enhanced screening is taking place. In addition, crisis response is being developed, care coordinators are being placed in the community to work with families, and a 56 member Stakeholders Group is meeting regularly to look at the community's vision of a system of care.

Banks said the daily population in the Attention Center has decreased, although it is difficult to ascertain whether this is due to the F³ Grant Project. He said Juvenile Probation is currently making decisions on all admissions to the facility which may also be having a positive impact.

Hudkins asked Schrepf to provide a list of the members of the Stakeholders Group, a progress report and the evaluation tools.

The Board asked Schrepf and Dr. Epstein, evaluator from the University of Nebraska, to provide an overview of the F³ Grant Project at the July 27th Staff Meeting.

5 COUNTY SPECIAL PERMIT NO. 181 & PRELIMINARY PLAN NO. 00008; POST ROCK PINES AT SOUTH 120TH & FIRTH ROAD - Mike DeKalb, Planning Department; Larry Worrell, County Surveyor

Mike DeKalb, Planning Department, reviewed County Special Permit 181 and Preliminary Plat 00008, a request for a Community Unit Plan and Preliminary Plat to create 8 lots on 134 acres of property at South 120th and Firth Road (Exhibit C). He noted a recommendation of approval, with Planning Staff conditions, from the Planning Commission. DeKalb said the Planning Commission also recommended that north/south streets be named, rather than numbered, per the applicant's request.

Larry Worrell, County Surveyor, said he did not perceive problems with the driveway entrance.

In response to a question from Workman, DeKalb said the issue of acreages, including clustering within the Agricultural (AG) District, needs to be discussed and reviewed as part of the Lincoln City-Lancaster County Comprehensive Plan review, scheduled to take place in 2001.

Heier suggested that a definition of vehicles be added to the County Zoning Regulations.

DeKalb said the definition should match that of the City's.

Workman asked whether the issue of sirens should be addressed.

DeKalb said density does not warrant it in this case. He suggested that consideration be given to requiring weather radios on smaller lots.

6 HOMESTEAD TRAIL - Mike Brienzo, Planning Department

Mike Brienzo, Planning Department, gave a progress report on the proposal to designate 58 miles of abandoned Union Pacific Railroad line, extending one half mile south of Saltillo Road in Lancaster County to an area north of Marietta, Kansas, as the Homestead Trail. He said the Lower Big Blue Natural Resources District (NRD) has elected not to participate in Phase I. The City of Beatrice is still interested in developing the 17 mile corridor that stretches from Beatrice to Lancaster County and a private group is trying to raise funds for its purchase and development.

Hudkins said he had received several phone calls from rural landowners that felt the property should be placed back on the tax rolls.

Brienzo indicated that he had followed up on the Board's concerns regarding private crossings and said the NRD will not restrict or eliminate any crossings and is willing to adjust width, as needed.

Heier suggested inclusion of statements in a proposed resolution of support for Phase I that indicate the intent to work cooperatively with the agricultural community and address the issue of private crossings.

7 PENDING LITIGATION - Mike Thew, Chief Deputy County Attorney; Diane Staab, Deputy County Attorney

MOTION: Hudkins moved and Workman seconded to enter Executive Session at 10:12 a.m. for discussion of pending litigation. Hudkins, Workman, Steinman, Heier and Campbell voted aye. Motion carried.

MOTION: Hudkins moved and Steinman seconded to exit Executive Session at 10:23 a.m. Hudkins, Workman, Steinman, Heier and Campbell voted aye. Motion carried.

8 BUDGET REVIEW - Dave Kroeker, Budget & Fiscal Officer

Don Thomas, County Engineer, appeared and reviewed *Bridge Fund, Budget Worksheet, Fiscal Year 2001* (Exhibit D), noting the following:

- Seed & Fertilizer (2109) - Cost will be offset by contracted seeding
- Rock/Gravel (2202) - Reflects the increased cost of hauling and production
- Lumber (2207) - Increase primarily due to survey materials
- Signs (2251) - Increase due to additional construction signage

- Right-of-Way (4052) - Actually an increase, underspending is due to the Firth viaduct project which was not spent (If the project proceeds the cost will be offset by the Railroad Transportation Safety District)
- Grading (4162) - Includes the last two miles of Fletcher Avenue east from 120th Street to 148th Street, North 70th Street from I-80 north to the Waverly Road, Pioneers Boulevard from 98th Street to 112th Street, and the Ash Hollow clean out which is equally split between County, Waverly and the Lower Platte South Natural Resources District
- Bridges (4171) - Related to the two bridges on North 162nd Street over Salt Creek and its tributary
- Engineering and Technical Equipment (4218) - Reflects cost of the Sun Analyzer
- Engineering (4301) - Underspending due to funds budgeted last year for the Saltillo viaduct project which did not proceed

Thomas noted that the Bridge Fund is funded through property tax and the Highway Fund is reliant upon fees, registrations and gas tax.

Hudkins asked whether any funds were budgeted for the paving of Havelock Avenue east of 84th Street for the Lancaster County Agricultural Society's Events Center and the interchange for the Kawasaki plant on Northwest 27th Street.

Thomas said no, adding access under Northwest 27th Street and the on/off ramp is considered one project. He said costs would be the responsibility of the County, Kawasaki or a shared expense. He estimated the cost of the improvements to Northwest 27th Street at \$200,000. The on/off ramp is projected to cost \$900,000 - \$1,000,000. Thomas said the State has indicated a willingness to contribute approximately \$200,000 towards the cost of the on/off ramp.

Kroeker noted that total expenditures are shown as 2.31 percent, but County funding will actually increase 7 percent because other sources of revenue have decreased.

Thomas said the tax requirement will be less for the combined Bridge Fund and General Fund.

Thomas reviewed *Highway Fund, Budget Worksheet, Fiscal Year 2001* (Exhibit E), noting the following:

- Chemical Supplies (2106) - Increase is for brush killer
- Sinking Fund - Buildings (4105) - Represents slightly more than half the cost of the Raymond Patrol Station
- Culverts (4167) - Expense is for contracted road culverts
- Guardrail (4177) - New line item, previously shown in grading

Thomas also reviewed *State Rec-Road Work* (Exhibit F), noting the State is unable to advance funds for projects. He said since budgeting occurs in the middle of the paving season, the County does not receive reimbursement until the following fiscal year. Since a number of projects are planned for Fiscal Year 2001, only the County's obligation was budgeted. The contracts will state that work can not commence before June 15th. This will allow the County to rebudget for the balance, which will be offset by reimbursement.

Thomas said 10 miles will be overlaid and 7.3 miles will be paved as a result of the two funds. He said an overlay of the last three miles into Denton is the only project that will be delayed in the program.

In response to a question from Campbell, Thomas said he anticipates that capital outlay will be less than last year, due to underruns in the budget which must be offset.

Thomas questioned how funds received from motor vehicle fees are indicated in the budget. Kroeker and Thomas agreed to work on this issue and refinement of the revenues and expenditures.

Kroeker distributed the following materials (Exhibit G):

- *Calculation of Restricted Funds*
- *Lancaster County, Comparison FY01 to FY00 Expense Budget*
- *Lancaster County, Comparison FY01 to FY00 Revenue Budget*
- *Keno Fund, FY01 Proposed Budget*
- *General (612)*
- *Justice System (628)*
- *Health & Human Services (805)*
- *General Fund Revenue Budget Summary*
- *General Fund Expense Budget Summary*
- *Possible Budget Adjustment List, Proposed Budget FY01*
- *Community Mental Health Center Funding*
- A copy of Nebraska Revised Statute § 71-5009 (Regional governing boards; duties; funds; sources and expenditure; accounting)

Kroeker noted that a tax reduction of \$1,765,698 will be required to keep the rate at .2584. A one cent increase will require a tax reduction of \$626,698. He said a 6.02 percent increase will be necessary to fund the budget as is.

Kroeker also distributed *Lancaster County, Employees by Agency, Last 5 Years* (Exhibit H).

9 PURCHASE OF REAL ESTATE - Don Killeen, County Property Manager;
Dean Settle, Community Mental Health Center Director

MOTION: Steinman moved and Hudkins seconded to enter Executive Session at 11:15 a.m. to discuss a real estate purchase and potential litigation. Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

MOTION: Heier moved and Workman seconded to exit Executive Session at 12:14 p.m. Heier, Workman, Hudkins and Campbell voted aye. Steinman was absent from voting. Motion carried.

10 ACTION ITEMS

A. Request from the Lancaster County Firefighters Association to Submit a Grant to the Federal Emergency Management Agency (FEMA) for Fire Safety Education (\$25,000)

MOTION: Steinman moved and Hudkins seconded approval. Steinman, Hudkins, Workman, Heier and Campbell voted aye. Motion carried.

B. Appointments to Comprehensive Plan Task Force

The Board appointed Art Zygielbaum, Merle Jahde and Bill Siefert to the task force. Lovie Magruder was named alternate.

C. Request from Dennis Banks, Lancaster County Juvenile Detention Center Director on Behalf of the Juvenile Detention Transition Team to Attend Site Visit of Juvenile Detention Facility in Peoria, Illinois

MOTION: Heier moved and Steinman seconded approval. Heier, Steinman, Hudkins, Workman and Campbell voted aye. Motion carried.

11 CONSENT ITEMS

A. Vacation Requests:

1. Russ Shultz, Noxious Weed Control Authority Superintendent, for July 11-17, 2000
2. Kerry Eagan, Chief Administrative Officer, for July 28-31, 2000

B. Six (6) Proxies for Nationwide Insurance

MOTION: Steinman moved and Hudkins seconded approval of the Consent Items. Steinman, Workman, Heier, Hudkins and Campbell voted aye. Motion carried.

12 ADMINISTRATIVE OFFICER REPORT

A. Update on Lease with Lincoln Airport Authority for Correctional Facility Well Field

Eagan reported that the Lincoln Airport Authority will charge some type of rent for the property south and east of the Airpark Correctional Facility if a well field is located there. Don Killeen, County Property Manager, is investigating the possibility of locating the well field on the property across the street, along the creek, which would not involve a rental cost.

B. Long-Term Care Request for Proposals

Board consensus to participate in the Request for Proposals (RFP).

C. County Board Photo

The Board authorized Cori Beattie, County Board Administrative Secretary, to make the necessary arrangements.

D. Rescission of Dry Cleaning Bid

This item was scheduled for action on the July 18th County Board of Commissioners Meeting agenda.

E. Letter from Randall Funding & Development, LLC (Successor in Interest to Griffin Grant Writing)

Eagan reported the principal owner of Griffin Grant Writing has a terminal illness and the other principals will attempt to fulfill obligations. He said he will review the contract and the County's options and will report back to the Board.

F. Fireworks Opinion

Eagan said the County Attorney's Office has concluded that the County Board lacks authority to limit fireworks in the County. Hudkins will send a copy of the County Attorney's opinion to the constituent who raised the question.

G. Roadhouse License Moratorium

Dave Johnson, Deputy County Attorney, suggested consideration of a brief moratorium for roadhouse licenses. The roadhouse moratorium would apply to statutorily defined businesses which include, but are not limited to, concerts, shows, carnivals and establishments that offer adult entertainment. A moratorium would put these businesses on notice that the Board is looking at the issue of where these type of activities should take place and the conditions upon them. Businesses that currently hold a roadhouse license would need to reapply and conditions would be uniformly applied. He said alternative locations may be offered for the length of the moratorium for situations where free speech is an issue.

Workman suggested that a similar type of establishment could serve this role.

Campbell noted that the County has used the term "amusement license" on the application form, rather than the antiquated term "roadhouse".

In response to a question from Hudkins, Johnson said the Board could elect to "grandfather" existing businesses.

Eagan recommended that the Board also ask the Planning Department to initiate zoning for adult entertainment.

H. Consolidation Report

Eagan reported that Dick Johnson is unable to serve on a committee that was asked to look at whether consolidation of the offices of the County Assessor and Register of Deeds would result in cost savings and operational efficiencies.

MOTION: Hudkins moved and Workman seconded to appoint Charlie Weber, Nebraska Title Company, to replace Dick Johnson on the committee. Hudkins, Workman, Heier and Campbell voted aye. Steinman was absent from voting. Motion carried.

I. Microcomputer Requests:

1. District Court, C#2000-144, \$1,141.88 from District Court Budget
2. Noxious Weed Control Authority, C#2000-214, \$5,084.43 from Microcomputer Fund
3. Election Office, C#2000-221, \$1,807.74 from Microcomputer Fund
4. Information Services, C#2000-224, \$333.50 from Microcomputer Fund
5. Community Mental Health Center, C#2000-228, \$1,814.26 from Community Mental Health Center Budget

Eagan said the District Court's request for replacement of a laser printer may be emergency in nature.

The Board requested information on printer volume and whether there was a maintenance agreement on the existing printer.

MOTION: Hudkins moved and Heier seconded to approve the microcomputer request for Information Services and to hold the microcomputer requests for the District Court, Noxious Weed Control Authority, Election Office and the Community Mental Health Center. Hudkins, Heier, Workman and Campbell voted aye. Steinman was absent from voting. Motion carried.

13 DISCUSSION OF BOARD MEMBER MEETINGS

A. Budget Monitoring Committee - Campbell, Heier

Campbell said Dave Kroeker, Budget & Fiscal Officer, provided an overview of the budget.

B. Joint Budget Committee - Campbell, Steinman

Campbell said a report by Kit Boesch, Human Services Administrator, was reviewed.

C. Ecological Advisory Committee - Heier

Heier said priorities were reviewed.

D. Public Building Commission - Campbell, Hudkins

Hudkins reported the following:

- Restrooms for the County Commissioners and City Council offices are completed
- Repair work continues on the skylights in the County-City Building
- A contract was approved for Sinclair Hille & Associates Inc. to study long-range parking needs and use of the area between the County-City Building and Justice and Law Enforcement Center
- State of Nebraska has requested 15,000 square feet of space in the former Police Department Building for expansion of the Labor Department

14 EMERGENCY ITEMS AND OTHER BUSINESS

Hudkins asked Eagan to research whether taxes may be collected on camper rentals.

15 ADJOURNMENT

By direction of the Chair, the meeting was adjourned.

Bruce Medcalf
Lancaster County Clerk